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March 23, 2009

JON NICKEL ASARCO LLC PO BOX 1230

Office or enforcement Compliance & Environmental Justice

RE: 2009 Cleaning and Demolition Program and 2009 Interim Measures Work Plan Addendum (Work Plan), Asarco East Helena facility.

Dear Jon,

Thank you for the subject (Work Plan). It reflects accurately all the area we discussed and we concur with the list of items dealing with Historic survey and recordation and the deliverables.

We have reviewed the Arcadis CD's which were part of an earlier deliverable. After comparing the list of images to structures demolished and those now remaining, it appears the following buildings demolished in 2008 have no plans: the blacksmith shop; the direct smelting building, the matte breaking floor, the sinter stockpile building, the charge building, and the mist precipitation. We also await plans for the following buildings on the block for 2009; the sample mill, the crushing mill and the acid dust facility. We found the site plans very difficult to interpret since none show the entire site and the buildings names are impossible to read unless you have a good magnifying glass.

We hope that you and Arcadis can help us out in these areas during the next year.

If you have any questions or concerns about what I have written above, you can contact me at (406) 444-0388, or email at jwarhank@mt.gov.

Sincerely,

Jøsef J Warhank

Review & Compliance Officer

File: EPA/2009

cc: Iver L Johnson MT DEQ Linda Jacobson EPA

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